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Attorneys for Plaintiff OWEN DIAZ

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OWEN DIAZ,
Plaintiff,
v.
TESLA, INC. dba TESLA MOTORS, INC.;
Defendant.

Case No. 3:17-cv-06748-WHO

**PLAINTIFF'S ADMINISTRATIVE
MOTION TO CONSIDER WHETHER
ANOTHER PARTY'S MATERIAL
SHOULD BE SEALED IN SUPPORT OF
PLAINTIFF'S REQUEST FOR LEAVE
TO FILE REPLY**

Trial Date: March 27, 2023
Complaint filed: October 16, 2017

MOTION

Pursuant to Local Rules 7-11 and 79-5(f), Plaintiff Owen Diaz (“Plaintiff”) respectfully requests the court consider whether the documents entitled “Plaintiff’s Request for Leave to File a Reply Brief in Support of Plaintiff’s Renewed Motion for Mistrial and Motion for a New Trial,” “Plaintiff’s [Proposed] Reply in Support of Notice of New Evidence Re: Plaintiff’s Renewed Motion for Mistrial and Motion for a New Trial,” and “Declaration of Marqui Hood in Support of Plaintiff’s Reply Brief Re: Notice of New Evidence,” which are lodged under seal with this Administrative Motion should remain sealed. In Support of this Administrative Motion to Consider Whether Another Party’s Material Should Be Sealed, Plaintiff hereby states as follows:

1. Plaintiff is filing this Administrative Motion pursuant to Local Rules 79-5(f).
2. By filing this Administrative Motion, Plaintiff is seeking to abide by a Protective Order entered by the Honorable Winifred Y. Smith (ret.) in the case *Marcus Vaughn, et al. v. Tesla, Inc.*, Superior Court of the State of California, County of Alameda, case number RG17882082, pursuant to which Defendant Tesla, Inc. has marked as “CONFIDENTIAL” the documents at issue in this case. The *Vaughn v. Tesla, Inc.* Protective Order is attached as Exhibit 1 to the Declaration of Lawrence A. Organ, filed concurrently herewith. Plaintiff seeks to abide by Tesla’s designation of the documents at issue as CONFIDENTIAL under the *Vaughn v. Tesla, Inc.* Protective Order by redacting all mentions of the contents of said CONFIDENTIAL documents in his Request for Leave to File Reply Brief In Support of Plaintiff’s Renewed Motion for Mistrial and Motion for a New Trial, Plaintiff’s [Proposed] Reply In Support of Notice of New Evidence Re: Plaintiff’s Renewed Motion for Mistrial and Motion For a New Trial, and the Declaration of Marqui Hood In Support of Plaintiff’s Reply Brief Re: Notice of New Evidence.

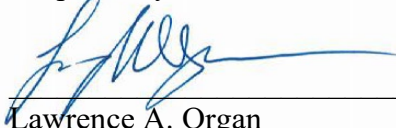
This Motion is based on the Declaration of Lawrence Organ in support thereof, and the portions of documents to be sealed are laid out below:

Document	Designating Party	Portion to be Sealed
Plaintiff’s Request for Leave to File a Reply Brief in Support of Plaintiff’s Renewed Motion for	Tesla, Inc.	The following page and line numbers: 2:6; 2:8-9; 2:12; 2:13-15

1	Mistrial and Motion for a New Trial.		
2	Plaintiff's [Proposed] Reply in	Tesla, Inc.	The following page and line numbers:
3	Support of Notice of New Evidence		
4	Re: Plaintiff's Renewed Motion for		
5	Mistrial and Motion for a New		
6	Trial		
7			2:4-15; 2:21; 2:23; 2:27-28;
8			3:1-4; 3:7-28; 4:1-7; 4:11-20; 4:23-26;
9			4:28; 5:1-3; 5:7-9; 5:11; 5:13-18; 5:21-
10			23; 5:27; 6:1-2; 6:6; 6:8-10; 6:12; 6:14-
11			16; 6:18-22; 6:24-25; 6:27-28; 7:1-2;
12			7:11-13; 7:15-23; 7:26-28; 8:1-2; 8:6;
13			8:13-15; 8:18-20; 8:22; 8:25-28; 9:1;
14			9:9-11; 9:15-20; 9:22-28; 10:1-2; 10:13-
15			20.
16	Declaration of Marqui Hood in	Tesla, Inc.	2:27; 3:8-14; 3:16-17; 3:21-22; 3:24-28;
17	Support of Plaintiff's Reply Brief		
18	Re: Notice of New Evidence		4:1-7; 4:10; 4:20-21.

DATED: August 18, 2023

Respectfully submitted,



Lawrence A. Organ

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